

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TATYANA RUZHINSKAYA, as Administratrix  
of the Estate of MARINA ROCHNIAK, Deceased,  
on behalf of herself and all others similarly  
situated,

Plaintiff,

v.

HEALTHPORT TECHNOLOGIES,

Defendants.

Case No.: 1:14-cv-02921 (PAE)

ECF Case

Electronically Filed

**NOTICE OF RENEWED MOTION  
FOR CLASS CERTIFICATION**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that, upon the Opinion & Order of the Court dated November 9, 2015 (Dkt. #151), Plaintiff Tatyana Ruzhinskaya, as Administratrix of the Estate of Marina Rochniak, Deceased (“Plaintiff”), on behalf of herself and all others similarly situated, hereby moves before the Honorable Paul A. Engelmayer for an order, pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(3), to:

(1) certify a class defined as:

all persons, who, at any time from March 12, 2011 to the present (the “Class Period”), paid for, or are obligated to pay for, copies of an individual’s patient information requested from Beth Israel Medical Center by a “qualified person” as defined in New York Public Health Law § 18(1)(g), for which copies HealthPort Technologies, LLC charged \$0.75 per page (the “Class”);

(2) appoint Plaintiff as the representative of the Class; and

(3) appoint Motley Rice LLC as Class Counsel.<sup>1</sup>

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<sup>1</sup> Plaintiff makes this renewed motion without prejudice to, and does not intend to waive, her right to appeal the denial of her original motion for class certification (Dkt. #74) upon the entry of a final judgment.

Dated: November 23, 2015

THE PLAINTIFF,  
TATYANA RUZHINSKAYA,  
as Administratrix of the Estate of  
MARINA ROCHNIAK,  
BY HER ATTORNEYS

By: /s/ Mathew P. Jasinski  
William H. Narwold  
Mathew P. Jasinski  
Michael J. Pendell  
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*Counsel for Plaintiff  
Tatyana Ruzhinskaya, as Administratrix  
of the Estate of Marina Rochniak*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 23, 2015, a copy of the foregoing Notice of Renewed Motion for Class Certification was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

/s/ Mathew P. Jasinski  
Mathew P. Jasinski